

I

99TH CONGRESS
1ST SESSION

441
H. J. RES. ~~457~~

Making further continuing appropriations for the fiscal year 1986.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1985

Mr. WHITTEN, introduced the following joint resolution; which was referred to
the Committee on Appropriations

JOINT RESOLUTION

Making further continuing appropriations for the fiscal year
1986.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are hereby appropriated, out of any
4 money in the Treasury not otherwise appropriated, and out of
5 applicable corporate or other revenues, receipts, and funds,
6 for the several departments, agencies, corporations, and other
7 organizational units of the Government for the fiscal year
8 1986, and for other purposes, namely:

9 SEC. 101. (a) Such amounts as may be necessary for
10 programs, projects, or activities at the rate for operations and
11 to the extent and in the manner provided for in H.R. 3037,

1 the Agriculture, Rural Development, and Related Agencies
2 Appropriations Act, 1986, as passed by the House of Repre-
3 sentatives on July 24, 1985.

4 (b) Such amounts as may be necessary for programs,
5 projects, or activities at the rate for operations and to the
6 extent and in the manner provided for in H.R. 2965, the
7 Departments of Commerce, Justice, and State, the Judiciary,
8 and Related Agencies Appropriations Act, 1986, as passed
9 by the House of Representatives on July 17, 1985.

10 (c) Such amounts as may be necessary for programs,
11 projects, or activities at the rate for operations and to the
12 extent and in the manner provided for in H.R. 3629, the
13 Department of Defense Appropriations Act, 1986, as passed
14 by the House of Representatives on October 30, 1985.

15 (d) Such amounts as may be necessary for programs,
16 projects, or activities at the rate for operations and to the
17 extent and in the manner provided for in H.R. 3067, the
18 District of Columbia Appropriations Act, 1986, as passed by
19 the House of Representatives on July 30, 1985.

20 (e) Such amounts as may be necessary for programs,
21 projects, or activities at the rate for operations and to the
22 extent and in the manner provided for in H.R. 3011, the
23 Department of the Interior and Related Agencies Appropria-
24 tions Act, 1986, as passed by the House of Representatives
25 on July 31, 1985.

1 (f) Such amounts as may be necessary for programs,
2 projects, or activities at the rate for operations and to the
3 extent and in the manner provided for in H.R. 3424, the
4 Departments of Labor, Health and Human Services, and
5 Education, and Related Agencies Appropriations Act, 1986,
6 as passed by the House of Representatives on October 2,
7 1985.

8 (g) Such amounts as may be necessary for programs,
9 projects, or activities at the rate for operations and to the
10 extent and in the manner provided for in H.R. 3327, the
11 Military Construction Appropriations Act, 1986, as passed by
12 the House of Representatives on October 17, 1985.

13 (h) Such amounts as may be necessary for programs,
14 projects, or activities at the rate for operations and to the
15 extent and in the manner provided for in H.R. 3244, the
16 Department of Transportation and Related Agencies Approp-
17 riations Act, 1986, as passed by the House of Representa-
18 tives on September 12, 1985.

19 (i) Such sums as may be necessary for programs,
20 projects, or activities provided for in the Treasury, Postal
21 Service, and General Government Appropriations Act, 1986
22 (H.R. 3036), to the extent and in the manner provided for in
23 the conference report and joint explanatory statement of the
24 committee of conference (House Report 99-349) as passed

1 by the House of Representatives on November 7, 1985, as if
2 enacted into law.

3 (j) Such sums as may be necessary for programs,
4 projects, or activities provided for in the Department of
5 Housing and Urban Development-Independent Agencies Ap-
6 propriations Act, 1986 (H.R. 3038), to the extent and in the
7 manner provided for in the conference report and joint ex-
8 planatory statement of the committee of conference (House
9 Report 99-363) as passed by the House of Representatives
10 and the Senate of the United States on November 13, 1985,
11 as if enacted into law.

12 (k) Such amounts as may be necessary for programs,
13 projects, or activities at the rate for operations and to the
14 extent and in the manner provided for in H.R. 3228, the
15 Foreign Assistance and Related Programs Appropriations
16 Act, 1986, as reported to the House of Representatives on
17 August 1, 1985.

18 (l) Such amounts as may be necessary for continuing the
19 following activities, not otherwise provided for in this joint
20 resolution, which were conducted in the fiscal year 1985,
21 under the terms and conditions provided in applicable appro-
22 priations Acts for the fiscal year 1985, at the current rate:
23 *Provided*, That no appropriation or fund made available or
24 authority granted pursuant to this subsection shall be used to
25 initiate or resume any project or activity for which appropria-

1 tions, funds, or authority were not available during fiscal year
2 1985:

3 Activities under sections 236, 237, and 238 of the
4 Trade Act of 1974;

5 Activities under the Public Health Service Act;

6 Refugee and entrant assistance activities under
7 the provisions of title IV of the Immigration and Na-
8 tionality Act including \$50,000,000 for targeted assist-
9 ance grants and \$4,000,000 for voluntary agency
10 matching grants; title IV and part B of title III of the
11 Refugee Act of 1980; and sections 501 (a) and (b) of
12 the Refugee Education Assistance Act of 1980;

13 Minority science improvement activities under sec-
14 tion 528(3) of the Omnibus Budget Reconciliation Act
15 of 1981; and

16 Payment to the Corporation for Public Broadcast-
17 ing under the Communications Act of 1934, as amend-
18 ed, for the fiscal year 1988: *Provided*, That for pur-
19 poses of this payment, the current rate shall be the
20 amount of the payment provided for fiscal year 1987.

21 SEC. 102. Unless otherwise provided for in this joint
22 resolution or in the applicable appropriations Act, appro-
23 priations and funds made available and authority granted
24 pursuant to this joint resolution shall be available from
25 December 13, 1985, and shall remain available until (a) en-

1 actment into law of an appropriation for any project or activi-
2 ty provided for in this joint resolution, or (b) enactment of the
3 applicable appropriations Act by both Houses without any
4 provision for such project or activity, or (c) September 30,
5 1986, whichever first occurs.

6 SEC. 103. Appropriations made and authority granted
7 pursuant to this joint resolution shall cover all obligations or
8 expenditures incurred for any program, project, or activity
9 during the period for which funds or authority for such
10 project or activity are available under this joint resolution.

11 SEC. 104. Expenditures made pursuant to this joint res-
12 olution shall be charged to the applicable appropriation, fund,
13 or authorization whenever a bill in which such applicable ap-
14 propriation, fund, or authorization is contained is enacted into
15 law.

16 SEC. 105. In view of the financial crisis facing many
17 farmers, resulting from embargoes and suspension of exports
18 in 1973, 1974, 1975, and 1980, and failure to use the Com-
19 modity Credit Corporation for a loan program which led to a
20 fair price from the user, the Secretary of Agriculture shall
21 use his authority under existing law to provide for nonre-
22 course loans on basic agricultural commodities at such levels
23 as will reflect a fair return to the farm producer above the
24 cost of production, and to issue such regulations as will carry
25 out this provision and as will provide for payment by the

1 purchaser, rather than by appropriation, for basic commod-
2 ities sold for domestic use and the Secretary of Agriculture
3 shall issue such regulations as will enable producers of any
4 basic agricultural commodity to produce the amount needed
5 for domestic consumption, to maintain the pipeline, and to
6 regain and retain by competitive sales our normal share of
7 the world market.

8 SEC. 106. Public Law 99-88 funded a study by the
9 Department of Agriculture to determine the losses suffered
10 by United States farm producers of agricultural products
11 during the last decade as a result of embargoes on the sale of
12 United States agricultural products and the failure to offer for
13 sale in world markets commodities surplus to domestic needs
14 at competitive prices, for use in determining what part of
15 existing indebtedness of farmers should be canceled as a
16 result of such foreign policy. Pending the completion of the
17 study, the Secretary shall determine, on a case-by-case basis,
18 which borrowers are unable to continue making payments of
19 principal and interest due to embargoes or the failure to sell
20 competitively in world trade and, thereby, qualify for an ad-
21 justment of principal and interest due to prevent bankruptcy
22 or foreclosure, all as authorized by existing law.

23 Upon presentation of substantial evidence to the Secre-
24 tary that a borrower qualifies, payment of principal and inter-
25 est shall be suspended and the Secretary shall forego foreclo-

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- 1 sure of loans owed to the Federal Government, as authorized
- 2 by law, for 12 months or until an adjustment is agreed upon.
- 3 Other creditors shall be requested by the Secretary to post-
- 4 pone payments due on the same basis.

○

November 21, 1985

AMENDMENTS ADOPTED TO FURTHER CONTINUING RESOLUTION

1. On page 4, strike lines 3 through 11. (deletes HUD bill)
2. On page 3, deletes lines 1 through 7, and insert the following:

"(i) Such amounts as may be necessary for programs, projects, or activities provided for in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1986 (H.R. 3424), to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference as filed in the House of Representatives, as if enacted into law."
3. On page 3, delete lines 8 through 12 and insert the following:

(h) Such amounts as may be necessary for programs, projects, or activities provided for in the Military Construction Appropriations Act, 1986 (H.R. 3327), to the extent and in the manner provided for in the conference report and joint explanatory statement of the committee of conference (House Report 99-380) as passed by the House of Representatives on November 20, 1985, as if enacted into law.
4. At the end of the resolution, add the following new section:

Sec. ____ . Notwithstanding any other provision of law or regulation, the Secretary of Transportation shall, within 30 days after enactment of this section, issue in the Federal Register a Notice of Intent to prepare an environmental impact statement for the construction of the north and south legs of the downtown component of metrorail in Dade County, Florida.

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5. At the end of the resolution, insert the following:

Expressway Gap Closing Project

Section _____. For necessary expenses to carry out a highway construction project along State Route 113 in north-central California that demonstrates methods of reducing motor vehicle congestion and increasing employment, \$23,500,000, to remain available until expended: Provided, That, such funds shall be exempt from any limitation on obligations for federal-aid highways and highway safety construction programs.

6. At the end of the resolution, insert the following:

Sec. . None of the funds made available by this or any other Act for fiscal year 1986 to the Office of the Secretary, Department of the Interior, shall be expended to enter into any agreement with respect to Westlands Water District v. United States, et. al. (CV-F-81-245-EDP) unless Congress enacts legislation authorizing the Secretary of the Interior to enter into such an agreement.

7. At the end of the resolution, insert the following:

"Sec. _____. Notwithstanding any other provision of this joint resolution, \$2,500,000 shall be available for the Smithsonian Institution, restoration and renovation of buildings, for the Freer Gallery of Art."

8. At the end of the resolution, insert the following:

Sec. . Notwithstanding any other provision of this joint resolution, persons other than members of the United States Holocaust Memorial Council may be designated as members of committees associated with the United States Holocaust Memorial Council subject to appointment by the Chairman of the Council.

9. On page 4, line 17, following "1985.", delete the period and insert the following:

: Provided, that notwithstanding any other provision of this subsection the following shall apply: no funds in this subsection are earmarked for scholarships for South African students; funding in the amount of \$3,689,286,666 shall be available for the "Economic Support Fund"; the amount and requirements associated with a cash transfer to Egypt shall be in accord with the provisions included in Section 202(b) of Public Law 99-83; no funds shall be required to be transferred from Sections 103 through 106 of the Foreign Assistance Act of 1961 to the "Economic Support Fund" for Zimbabwe; the requirement contained in H.R. 3228, the Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the House of Representatives on August 1, 1985, that "Economic Support Fund" assistance for Guatemala may be used only for development activities aimed directly at improving the lives of the poor, especially the indigenous population in the highlands, does not apply; funding in the amount of \$764,648,000 shall be available for "Military Assistance"; funds in the amount of \$5,058,983,333 shall be available for "Foreign Military Credit Sales"; funds in this subsection for the Lavi Program shall be made available in accord with the provisions included in Section 101(c)(3) of Public Law 99-83; no foreign military credit sales funds in this

subsection shall be transferred to "Military Assistance" or the "Economic Support Fund"; no funds in this subsection are appropriated under the heading "Guarantee Reserve Fund"; Section 620(A)(a) of the Foreign Assistance Act of 1961 is amended by inserting "the Export-Import Bank Act of 1945," after "the Peace Corps Act,"; Sections 521, 527, 543 and 549 in H.R. 3228, the Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the House of Representatives on August 1, 1985 do not apply; Section 539 of H.R. 3228, the Foreign Assistance and Related Programs Appropriations Act, 1986, as reported to the House of Representatives on August 1, 1985, shall not apply to Bolivia, except for the final provision; Titles I, II, and III of H.R. 2253 as reported in May 15, 1985 and section '3' of H.R. 1948 as introduced April 3, 1985, are hereby enacted; funding in the amount of \$337,930,000 shall be available for Migration and Refugee Assistance.

10. On page 5, after line 5, add the following:

Provided, that none of the funds appropriated under this title for Title X of the Public Health Services Act:

- (1) may be used to advocate or provide abortion procedures to any pregnant woman unless the life of the woman may be endangered by carrying the fetus to term; or**
- (2) may be awarded by grant or contract to any organization found by the Secretary of Health and Human Services to be in violation of the provisions of subsection (1).**

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11. At the end of the resolution, insert the following:

Notwithstanding any other provision of law, none of the funds in this act shall be available for the construction of the Central Automated Transit System (Downtown People Mover) in Detroit, Michigan: Provided, That the immediately preceding provision shall not apply to \$10,000,000 apportioned to the Detroit Department of Transportation.

12. At the end of the resolution, insert the following:

SEC. ____ (a) Notwithstanding section 101(i) and section 102(c) of this joint resolution, and notwithstanding any provision of H.R. 3036, if any individual or entity which provides or proposes to provide child care services for Federal employees applies to the officer or agency of the United States charged with the allotment of space in the Federal buildings in the community or district in which such individual or entity provides or proposes to provide such services, such officer or agency may allot space in such a building to such individual or entity if--

(1) such space is available;

(2) such officer or agency determines that such space will be used to provide child care services to a group of individuals of whom at least 50 percent are Federal employees; and

(3) such officer or agency determines that such individual or entity will give priority for available child care services in such space to Federal employees.

(b)(1) If an officer or agency allots space to an

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individual or entity under subsection (a), such space may be provided to such individual or entity without charge for rent or services.

(2) If there is an agreement for the payment of costs associated with the provision of space allotted under subsection (a) or services provided in connection with such space, nothing in title 31, United States Code, or any other provision of law, shall be construed to prohibit or restrict payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(3) For the purpose of this section, the term ``services`` includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone service), and security systems (including installation and other expenses associated with security systems).

13. Insert the following new section:

Sec. . Section 5 of the Federal Employees Flexible and Compressed Work Schedules Act of 1982 (96 Stat. 234; 5 U.S.C. 6101 note) is repealed.

14. On page 8, after line 4, add the following new section:

SEC. (a) In the administration of subchapter III of chapter 83 of title 5, United States Code, title II of the Social Security Act, chapter 21 of the Internal Revenue Code of 1954, and title II of Public Law 98-168, the individual holding the position of Chief of the United States Capitol Police on January 1, 1985--

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(1) shall be held and considered to have been appointed to that position before January 1, 1984,

(2) during the 60-day period following the date of the enactment into law of this section, shall be eligible to elect coverage under the provisions of such subchapter III, and

(3) upon such election, shall not be covered by section 210(a)(5)(G) of the Social Security Act, and section 3121(b)(5)(G) of the Internal Revenue Code of 1954, with respect to periods of service performed by such individual in such position after the election.

(b) Any period of service performed by such individual as Chief of the United States Capitol Police prior to making any such election shall, after such election and payment by or on behalf of such individual of appropriate contributions and interest covering such period of service, be considered as creditable service for purposes of such subchapter III and shall not be considered as covered service for purposes of title II of Public Law 98-168.

(c) Service performed by such individual as Chief of the United States Capitol Police after December 31, 1983, and prior to the election referred to in subsection (a), shall also be considered "employment" for purposes of the provisions of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1954, if such service would have been "employment" under such provisions but for this section.

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15. On page 4, after line 2, add the following:

Provided: That Section 513 thereof shall not be effective.

16. Insert the following new section:

The Secretary of the Army, at his discretion, may utilize Reserve Forces to carry out emergency flood recovery and clean up measures in the 29-county area of West Virginia, the 6-county area of Pennsylvania, the 18-county area of Virginia, and Gulf Coast areas, declared entitled to relief under the Disaster Relief Act of 1974 with respect to the flooding occurring on and after August 30, 1985 without reimbursement for such limited assistance.